

## **DISCOVERY DISPUTES ARISING IN DEPOSITIONS**

During the course of a deposition, the deponent is normally required to answer a question unless the deponent is instructed not to answer. The mere making of an objection, without such an instruction, does not suspend the obligation to answer.

If, during the course of a deposition, the party taking the deposition believes that a lawyer has improperly instructed a witness not to answer a question, or the witness has failed to answer the question even in the absence of such an instruction, the court is available to resolve such a discovery dispute immediately.

To schedule a telephone hearing on such a dispute, the party wishing court review should contact Judge Bufford's law clerk at (213) 894-0994 to schedule a hearing. Normally the judge will schedule the hearing within an hour of receiving the request. The hearing will be conducted by telephone conference call on the record in the courtroom.